

Impeachment was and remains an inherently political process, with all the pitfalls and promises that are thus put into play by politics. Nothing in the document precludes the Congress from seeking means to resolve this or any other putative breach of duty short of removing him from office. In fact, the risky and potentially divisive nature of the impeachment process may counsel in favor of utilizing it only as an absolute last resort where there is no shadow of a doubt that it meets, the criteria of treason, bribery, or other high crimes and misdemeanors.

Of course, impeachment ought to be used if the breach of duty is serious enough—what the Congress was prepared to do in the case of Richard Nixon was the correct course of action. However, nothing in the constitution precludes the Congress from resolving this conflict in a manner short of impeachment.

The critical question—the question with which the country is currently struggling—is whether the President's breaches of conduct and shameful activity, which are now well known and which have been universally condemned, warrant the ultimate political sanction. Are they serious enough to warrant removal from office?

In answering that, we need to ask ourselves, What is in the best interests of the United States of America? That is something that the founders contemplated us asking ourselves if and when faced with this question.

While I have not decided ultimately what should happen, I do want to suggest that it certainly is constitutionally permissible to consider a middle ground as a resolution of this matter. Such an approach might bring together those of the President's detractors who believe there is a need for some sanction, but are willing to stop short of impeachment, as well as those of the President's supporters who reject impeachment, but are willing to consider that some sanction ought to be implemented.

As a country, Mr. President, we have not often faced decisions as stark and potentially momentous as the impeachment of a President of the United States. On the other hand, we would be wise not to overstate such claims. Surely we have faced some moments as stark and serious as this one. We have survived those moments and we will survive this one no matter how we handle it. As my dad always says, and he is going on 85 years of age, I remember over the last 26 years going home and saying, "Dad, this is a catastrophe," and he would look at me and say, "JOE, this country is so good, it is so strong, it is so solid, that it can stand 4 or 8 years of anybody or anything." And he is right. He is right. So I don't want to exaggerate this.

Whatever the outcome of the present situation, I'm confident that our form of government and the strength of our country present us not with a constitutional crisis but rather with a constitu-

tional framework and flexibility to deal responsibly with the decisions we face in the coming months. My purpose in rising today is to remind all of us of what that constitutional framework and flexibility mean, what they are.

In my closing plea I begin where I started, as a young Senator in April of 1974. This is a time for us to be cautious. This is a time for Members of this body to hold our fire. This is the time to be prepared to exercise our responsibility to be judge and jury after, and only after, all of the facts are presented to us. This is not a constitutional crisis but it is a serious, serious business.

I yield the floor.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:27 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2392. An act to encourage the disclosure and exchange of information about computer processing problems, solutions, test practices and test results, and related matters in connection with the transition to the year 2000.

The message also announced that the House insists upon its amendments to the bill (S. 2073) to authorize appropriations for the National Center for Missing and Exploited Children and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. GOODLING, Mr. CASTLE, Mr. SOUDER, Mr. HYDE, Mr. MCCOLLUM, Mr. HUTCHINSON, Mr. MARTINEZ, Mr. SCOTT, Mr. CONYERS, and Ms. JACKSON-LEE of Texas as the managers of the conference on the part of the Houses.

The message further announced that the Houses disagree to the amendment of the Senate to the bill (H.R. 3874) to amend the National School Lunch Act to and the Child Nutrition Act of 1996 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to extend certain authorities contained in those Acts through fiscal year 2003, and other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the

managers of the conference on the part of the House:

From the Committee on Education and the Workforce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Mr. GOODLING, Mr. RIGGS, Mr. CASTLE, Mr. CLAY, and Mr. MARTINEZ.

From the Committee on Agriculture, for consideration of section 2, 101, 104(b), 106, 202(c), and 202(o) of the House bill, and sections 101, 111, 114, 203(c), 203(r), and titles III and IV of the Senate amendment, and modifications committed to conference: Mr. SMITH of Oregon, Mr. GOODLATTE, and Mr. STENHOLM.

ENROLLED BILL SIGNED

At 3:03 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 6 An act to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

At 4:23 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 4595. An act to redesignate the Federal building located at 201 Fourteenth Street Southwest in the District of Columbia as the "Sidney Yates Federal Building"; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the second time and placed on the calendar:

S. 2529. A bill entitled the "Patients' Bill of Rights Act of 1998."

S.J. Res. 59. Joint resolution to provide for a Balanced Budget Constitutional Amendment that prohibits the use of Social Security surpluses to achieve compliance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1419. A bill to deem the activities of the Miccosukee Tribe on the Tamiami Indian Reserve to be consistent with the purposes of the Everglades National Park, and for other purposes (Rept. No. 105-361).

By Mr. SPECTER, from the Committee on Veterans' Affairs, with amendments and an amendment to the title:

S. 2358. A bill to provide for the establishment of a service-connection for illnesses associated with service in the Persian Gulf War, to extend and enhance certain health care authorities relating to such service, and for other purposes (Rept. No. 105-362).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1905. A bill to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes (Rept. No. 105-363).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2217. A bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes (Rept. No. 105-364).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

H.R. 81. A bill to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy Courthouse."

H.R. 2225. A bill to designate the Federal building and United States courthouse to be constructed on Las Vegas Boulevard between Bridger Avenue and Clark Avenue in Las Vegas, Nevada, as the "Lloyd D. George Federal Building and United States Courthouse."

H.R. 2379. A bill to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse."

H.R. 3223. A bill to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building."

H.R. 3696. A bill to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse."

H.R. 3982. A bill to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building."

H.R. 4595. A bill to redesignate a Federal building located in Washington, D.C., as the "Sidney R. Yates Federal Building."

S. 2523. A bill to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building."

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works:

Greta Joy Dicus, of Arkansas, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2003. (Reappointment)

Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Commission for the term expiring June 30, 2002.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DEWINE (for himself and Mr. GLENN):

S. 2541. A bill to name the Department of Veterans Affairs outpatient clinic located at 543 Taylor Avenue, Columbus, Ohio, as the "Chalmers P. Wylie Veterans Outpatient Clinic"; to the Committee on Veterans Affairs.

By Mr. CHAFEE:

S. 2542. A bill to amend the Internal Revenue Code of 1986 to modify the tax on commercial aviation to and from airports located on sparsely populated islands; to the Committee on Finance.

By Mr. CHAFEE (for himself, Mr. BAUCUS, Mr. GRASSLEY, Ms. MOSELEY-BRAUN, Mr. KERREY, and Mr. ROCKEFELLER):

S. 2543. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who acquire structured settlement payments in factoring transactions, and for other purposes; to the Committee on Finance.

By Mr. FAIRCLOTH:

S. 2544. A bill to enhance homeownership through community development financial institutions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 2545. A bill to amend title XVIII of the Social Security Act to prevent sudden disruption of medicare beneficiary enrollment in Medicare+Choice plans; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. DODD, Mr. ASHCROFT, Mr. LIEBERMAN, Mr. SESSIONS, and Mr. TORRICELLI):

S. 2546. A bill to establish legal standards and procedures for the fair, prompt, inexpensive, and efficient resolution of personal injury claims arising out of asbestos exposure, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBB:

S. 2547. A bill to amend title 38, United States Code, to authorize the memorialization at the columbarium at Arlington National Cemetery of veterans who have donated their remains to science, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TORRICELLI:

S. Res. 284. A resolution expressing the sense of the Senate that the President should renegotiate the Extradition Treaty between the United States of America and the United Mexican States; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CHAFEE:

S. 2542. A bill to amend the Internal Revenue Code of 1986 to modify the tax on commercial aviation to and from airports located on sparsely populated islands, to the Committee on Finance.

LEGISLATION PROVIDING RELIEF FOR CERTAIN ISLAND AIRPORTS

• Mr. CHAFEE. Mr. President, today, I am introducing legislation to provide relief to communities for whom air transportation is vital to their survival.

Last year, Congress altered the structure of the aviation excise tax which funds the Airport and Airway Trust Fund. As part of the Taxpayer Relief Act of 1997, the 10% ad valorem ticket tax was replaced with a combination ad valorem/flight segment charge. When fully phased in, the tax will consist of an ad valorem tax of 7.5% of the price of a ticket and a \$3.00 charge per flight segment.

This change has dramatically increased the tax imposed on low-fare flights. A typical flight to or from the Block Island community located in my state costs \$28. Prior to last year, the tax on this flight would be 10% or \$2.80. When fully implemented, however, the new structure will increase the tax on the same ticket by 82%, to \$5.10.

This new structure was intended to provide a user-based approach to paying for the use of FAA services and facilities. However, short distance flights between islands and a mainland make little demand on Air Traffic Control services as these flight segments do not use ATC centers, rarely use departure or arrive control, often operate under visual flight rules and usually are transferred from the departure control tower to the destination control tower.

Congress recognized that this new tax structure would adversely affect rural communities. Consequently, flights to or from rural airports are taxed at a rate of 7.5% of the ticket price, with no per passenger segment charge. For purposes of this exemption, a rural airport is one that is located at least 75 miles away from an airport with more than 100,000 passengers. Unfortunately, this restrictive definition fails to recognize the unique nature of island communities.

Island communities face transportation problems similar to those encountered by passengers from rural areas. Air and ferry transportation provide islands with a vital link to the mainland for shopping, employment, health care, and other needs. Most commercial passenger enplanements at island airports are for short-distance flights simply to get off the island. For those communities, air and ferry service maintain a delicate balance, and both are needed to meet the communities' needs for mainland access.

The current excise tax structure provides a disincentive to providing service to remote island communities. This result is contrary to Congress' intent to increase air service to these remote communities.

My legislation reinstates the prior tax structure for flights to or from an